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Attorneys for RICHARD JOHNSON, Plaintiff

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA**

RICHARD JOHNSON)	Case No. Case No. 3:15-CV-04632
Plaintiff,)	LB
)	
vs.)	<i>Civil Rights</i>
)	
ALBERT A. BERGER, an individual, and)	STIPULATION OF DISMISSAL
PAUL K. BERGER, an individual)	WITH PREJUDICE AND
collectively d/b/a BURGER PIT;)	(PROPOSED) ORDER
PAMELA S. KELLEY, an individual,)	[F.R.C.P. §§ 41(a)(1)(ii) and (2)]
RANDY A. KELLEY, an individual; and)	
DOES 1-20,)	
Defendants.)	
)	
)	

Plaintiff RICHARD JOHNSON and Defendants ALBERT A. BERGER, an individual, and
 PAUL K. BERGER, an individual collectively d/b/a BURGER PIT; PAMELA S. KELLEY, an
 individual, RANDY A. KELLEY, an individual by and through their attorneys of record, file this
 Stipulation and Order of Dismissal with Prejudice pursuant to Federal Rule of Civil Procedure §§

41(a)(1)(ii) and (2). Plaintiff filed this lawsuit on October 06, 2015. Defendants, who have answered the complaint, agree to the dismissal with prejudice. Plaintiff and Defendants further stipulate that each side shall pay its own attorneys' fees and costs.

This case is not a class action, and no receiver has been appointed.

Wherefore, Plaintiff and Defendants, by and through their attorneys of record, so stipulate.

DATED: August 31, 2016

By: /s/
KENNETH J. PINTO
Attorney for Plaintiff RICHARD JOHNSON

DATED: August 31, 2016

BY: /s/
SAMUEL L. PHILLIPS
ATTORNEY FOR DEFENDANTS ALBERT A. BERGER, an individual, and PAUL K. BERGER, an individual collectively d/b/a BURGER PIT; PAMELA S. KELLEY, an individual, RANDY A. KELLEY, an individual

PROPOSED ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

1. The lawsuit against Defendants is dismissed with prejudice.
2. The Court will retain jurisdiction to enforce the terms of the parties' SETTLEMENT AGREEMENT AND GENERAL RELEASE.
3. Each side shall pay its own attorneys' fees and costs.

Dated: September 13, 2016


The Honorable Laurel Beeler United States
District Court Magistrate Judge